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6 **IN THE DISTRICT COURT OF GUAM**

7 **TERRITORY OF GUAM**

8 RONALD L. MCNINCH JR.,)

CIVIL CASE NO. 16-00021

9 Plaintiff,)

10 v.)

**MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

11 UNIVERSITY OF GUAM,)

[FED. R. CIV. P. 12(b)(6)]

12 Defendant.)

13
14 Defendant UNIVERSITY OF GUAM hereby moves the Court, pursuant to Rule
15 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss this instant action for failure to state
16 a claim. The motion is supported by a memorandum of points and authorities being filed
17 contemporaneously with this motion.

18 Dated this 28th day of June, 2016.

19 **THOMPSON THOMPSON & ALCANTARA, P.C.**

Attorneys for Defendant University of Guam

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21 By: /s/ R. TODD THOMPSON

22 **R. TODD THOMPSON**

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